

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 10-_____
v.	:	DATE FILED: <u>July 29, 2010</u>
AGNES O'BRIEN	:	VIOLATIONS:
	:	18 U.S.C. § 875(d) (interstate transmission of threatening communications - 3 counts)

INDICTMENT

COUNTS ONE THROUGH THREE

THE GRAND JURY CHARGES THAT:

1. From in or about December 2009 to on or about July 1, 2010, in the Eastern District of Pennsylvania, and elsewhere, defendant

AGNES O'BRIEN

engaged in a scheme to extort money from a victim ("Person One"), by making threats to publish a book containing references to Person One's personal life, family, and friends that would embarrass Person One.

MANNER AND MEANS

2. It was part of the scheme that defendant AGNES O'BRIEN:

a. sent an email to Person One advising Person One that she was writing a "work of fiction based on my own personal experience," and proceeded to provide a summary of the book, describing characters who were barely fictionalized counterparts of Person One and Person One's friends and family members. The summary referenced specific instances of alleged conduct by the "characters" that, regardless of the veracity of the allegations, would prove embarrassing to Person One;

b. demanded payment of \$200,000 up front followed by annual payments of \$250,000 per year for the duration of defendant O'BRIEN's life, along with permission to continue her occupancy in a house owned by Person One, in return for defendant O'BRIEN agreeing not to publish material that would be harmful to Person One's reputation;

c. sent repeated emails to Person One attaching photographs of Person One and her family members and friends, in an attempt to harass and pressure Person One into making payment;

d. sent repeated text messages to Person One and Person One's representatives in an attempt to harass and pressure Person One into making payment;

e. claimed to Person One and Person One's representatives that she had a publisher and book agent willing to publish the book, as well as a film producer who was interested in buying the rights to the book, and made repeated threats to go immediately to her publisher if Person One did not make payment;

f. claimed she would write her book from jail if she were prosecuted;

g. after being advised by a representative of Person One that she was committing the crime of extortion, revised her demand to one for a \$200,000 interest-free "loan," of which only \$60,000 would be repaid, along with annual payments of \$150,000, net of income taxes, for the duration of her life; and made further demands regarding permission to occupy and ultimately jointly own the house in which she was residing.

THE INTERSTATE EXTORTIONATE THREATS

3. On or about the following dates, in the Eastern District of Pennsylvania, and elsewhere, defendant

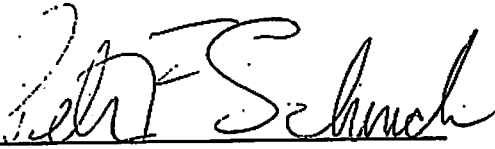
AGNES O'BRIEN

knowingly and with intent to extort a thing of value from a victim, transmitted in interstate commerce a communication, that is, the following communications, containing threats to injure the reputation of Person One:

<u>Count</u>	<u>Date</u>	<u>Communication</u>
1	December 21, 2009	Defendant O'BRIEN threatened in email message to Person One to publish a book containing references to Person One's personal life, friends, and family that would embarrass Person One.
2	January 14, 2010	Defendant O'BRIEN threatened in a telephone call to Person One's lawyer to publish the book referenced in Count One, unless Person One paid defendant O'BRIEN \$200,000 in lump sum, followed by annual payments of \$250,000 for the duration of defendant O'BRIEN's life, among other demands.
3	February 25, 2010	Defendant O'BRIEN threatened in an email message to Person One's lawyer to publish the book referenced in Count One, unless Person One agreed to make payment to O'BRIEN.

All in violation of Title 18, United States Code, Section 875(d).

A TRUE BILL:

A handwritten signature in cursive script, appearing to read "Zane D. Memeger", written over a horizontal line.

ZANE DAVID MEMEGER
United States Attorney

GRAND JURY FOREPERSON